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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,631	07/26/2000	Thomas Francis McGee III	US 000163	9403

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EXAMINER
WOO, ISAAC M

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/616,631	Applicant(s) MCGEE ET AL.
	Examiner Isaac M Woo	Art Unit 2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _16 June 2003_ .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-24_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-24_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1.   This action is in response to Applicant's amendments on June 16, 2003 have

been considered but are deemed moot in view of new ground of rejections below.

2.   Claims 1, 7, 13 and 19 are amended. And claims 1-24 are pending.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over S.

Takao et al (Segmentation and Classification of TV news articles based on speech

dictation, Department of Electronics and Informatics, Ryukoku University, September

15, 1999 IEEE, hereinafter, "Takao") in view of Park et al (U.S. Patent No. 6,597,738,

hereinafter, "Park").

With respect to claims 1, 7, 13, and 19, Takao discloses the apparatus, system,

method and computer-executable instructions stored on a computer-readable storage

medium for automatically classifying video signals (text article, page, 94, section VI-I, lines 1-11, page, 92, section III, lines 1-6), see (page 92, section II, lines 1-24, page 94, section VI, lines 1-26), text classifier capable of reading text having at least one keyword (page 93, section IV, lines 1-9) contained within at least of the one story segments, see (page 93, section IV, lines 1-9), see (page 94, section VI, lines 1-21); and capable of identifying keywords, see (page 93, section IV, lines 1-9, page 94, section VI, lines 1-21) within the text; and in response to identifying at least one of the keywords within a line of text, see (page 93, section IV, lines 1-9, page 94, section VI, lines 1-21), classifying the line of text as a part of at least one story segment (topic segment, page 95, section VII, lines 1-38) within the video signals, see (page 95, section VII-II, lines 1-22). Takao does not explicitly disclose the keyframe classifier capable of segmenting the video signals into initial set of one or more story segment. However, Park discloses video keyframe (col. 3, lines 57-67), and the motion characteristics with relation to the structure units of the video, story, scene, segment and sub-segment in video structure, and the video structuring may be achieved in the type of an event tree on the basis of signal characteristics. In the video structuring, the structuring information of the signal characteristics and the significant characteristics may exist together on the basis of correlated links, see (FIG. 17A-B, col. 3, lines 15-49), which teaches that video key frames are classified with one or more segments (for instance segment 1 and sub-segment1, 2, segment, etc) by event tree (story). Therefore, it would have been obvious a person having ordinary skill in the art the time invention was made to combine the keyframe classifier capable of segmenting the video

signals into initial set of one or more story segment of the system of Park with the

system of Takao to have video signal segmentation based on story. Because video

classification based on story, can provide categorized video segmentation, which help

user for quick accessing and viewing video images and also provide efficient

manipulation of storing and retrieving of video image data.

With respect to claim 2, 8, 14, 18, 20 and 24, Takao discloses sequentially

comparing first and second lines of text to compare the number of keywords detected

for each first line of text with the number of keywords detected for each second line of

text, see (page 93, section IV, lines 1-9, page 94, section VI, lines 1-21 and set forth

above in claims 1, 7, 13, and 19 with parsing mechanism to read each line of text); and

identifying a keyword transition point between two adjacent portions of text where

the number of keywords detected in a keyword category for each line of text (table 4,

parameters for topic segmentation on page 95) prior to the keyword transition point

(changing threshold for keyword, see page 95, section VII-II, lines 1-22) decreases

below a threshold number, see (page 95, section VII-I, lines 1-35, Note: boundary

based on threshold numbers of keywords).

With respect to claim 3, 9, 15 and 21, Takao discloses that classifier controller is

capable of classifying text between the beginning of the text, see (page 93, section IV,

lines 1-9, page 94, section VI, lines 1-21 and set forth above in claims 1, 7, 13, and 19

with parsing mechanism to read each line of text) and a first keyword transition point as

one stony segment of the text when the text classifier controller identifies a first keyword

transition point, see (page 95, section VII-II, lines 1-35, Note: topic boundary is decided

by threshold number of keywords).

With respect to claim 4, 10, 16 and 22 Takao discloses that the text classifier

controller is capable of classifying text between a first keyword transition point and a

second keyword transition point as one story segment of the text when the text classifier

controller identifies a first keyword transition point and a second keyword transition

point, see (page 95, section VII, Topic segmentation, VII-I, topic boundary detection,

VII-II, topic section detection, same keyword has different association to the different

topic, which is on transition point an detects boundary with identifying similarities of

each keywords).

With respect to claim 5, 11,17 and 23, Takao discloses that the text classifier

controller is capable of sequentially comparing first and second lines of text to compare

the number of keywords detected for each first line of text with the number of keywords

detected for each second line of text, (page 93, section IV, lines 1-9, page 94, section

VI, lines 1-21 and set forth above in claims 1, 7, 13, and 19 with parsing mechanism to

read each line of text) and capable of identifying a keyword transition point between two

adjacent portions of text where the number of keywords detected in a keyword category

for each line of text prior to said keyword transition point increases above a threshold

number, see (page 95, section VII, Topic segmentation, VII-I, topic boundary detection,

VII-II, topic section detection, transition (boundary detection based on changing

threshold number)).

With respect to claim 6 and 12, Takao discloses that the text classifier controller

comprises an algorithm for reading lines of text to identify keywords contained within the

lines of text, wherein the algorithm classifies each line of text in a keyword category ,

see (page 93, section IV, lines 1-9, page 94, section VI, lines 1-21 and set forth above

in claims 1, 7, 13, and 19 with parsing mechanism to read each line of text) that has the

largest number of keywords in the line of text, see (page 95, section VII, Topic

segmentation, VII-I, topic boundary detection, lines 1-38, VII-II, topic section detection,

lies 1-27, which teaches the highest classification is based on the number of highest

keywords selection from each line of text).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Hullinger et al (U.S. Patent No. 6,295,092) discloses the system for automatically

captures one or more local news program broadcasts and separates the broadcasts into

the individual news stories or segment. The system then compares the stories to

historical data concerning the competitive characteristics of the stories for each station and determines the topic (local, national, crime, etc.), talent (newscaster 1, newscaster 2, etc.) and production (live, studio, voice-over-tape, etc.) characteristics of the stories. Other characteristics that affect the popularity and therefor the competitive characteristics of the broadcasts can also be displayed, such as pacing, average story length, news-to-advertisement ratio, broadcast ordering (news then weather then news then sports, etc.), etc. The characteristics are displayed in a visual format, such as a graph, with other historical data, such as show ratings that can be divided into increments such as 1/4 hour, and optionally with the actual video/audio broadcast allowing assessment of competitors local news broadcasts.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW
August 8, 2003

JEAN M. CORRIELUS
PRIMARY EXAMINER